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## The C.I.A.

# Finding on Agency Role May Put Nomination in Further Jeopardy

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WASHINGTON, Feb. 26 — Senate confirmation of Robert M. Gates as Director of Central Intelligence, already in danger, appeared to be further jeopardized today by the Tower Commission's finding that the Central Intelligence Agency prepared a key 1985 assessment of the situation in Iran in close cooperation with the National Security Council staff.

Members of the Senate intelligence committee said today that they were troubled by the commission's suggestion that the C.I.A. might have let political considerations compromise its objectivity during the crucial period when the rationale and policy for selling arms to Iran were being formulated. The Senate panel held two days of often confrontational hearings last week on the Gates nomination.

In its account of coordination between the C.I.A. and the National Security Council, the Tower Commission did not mention Mr. Gates by name. As Deputy Director for Intelligence in the period under review, however, Mr. Gates was directly responsible for the intelligence analyses produced by the agency, then headed by William J. Casey.

### Contradiction of Testimony Seen

Senator Bill Bradley, a New Jersey Democrat who sits on the Select Committee on Intelligence, said the report "confirms the concerns I've had all along and that I expressed to Mr. Gates last week that the C.I.A. tailored its intelligence assessment on Iran to fit the needs of the policy makers of the White House."

In a prepared statement, Senator Bradley said, "The report contradicts Mr. Gates's testimony to the committee when he denied that neither he nor anyone working for him was aware that any policy change toward Iran was under discussion at the White House." Mr. Bradley said he would pursue the matter both with the members of the Tower Commission and with Mr. Gates when the confirmation hearings resume next week.

The commission report said the National Security Council staff was "actively involved" in the preparation of a C.I.A. document, a Special National Intelligence Estimate on Iran issued May 20, 1985. The estimate concluded that, because a lack of American contacts with Iran enhanced the Soviet Union's ability to influence events there, Western allies should be encouraged to "fill a military gap for Iran" so as to blunt

potential Soviet influence.

The Tower report said that "it is a matter for concern" if C.I.A. contacts with the security council staff "and the strong views of N.S.C. staff members were allowed to influence the intelligence judgments" contained in the estimate.

### Analysis vs. Advocacy

The report added: "It is critical that the line between intelligence and advocacy of a particular policy be preserved if intelligence is to retain its integrity and perform its proper function. In this instance, the C.I.A. came close enough to the line to warrant concern."

Senator Sam Nunn, a Georgia Democrat who is on the intelligence committee, said at a news conference that the report raised "very grave concerns" about whether the C.I.A. permitted political judgments to influence its analysis.

"Intelligence analysis is supposed to be based on facts, not on policy pressures," Senator Nunn said. "A very key question has been raised that will flow over into the Gates deliberations."

The committee is scheduled to hold a closed hearing Wednesday on the Gates nomination. The chairman, Senator David L. Boren, an Oklahoma Democrat, said the committee would decide after that meeting how quickly to proceed on the nomination.

### 'Time to Evaluate'

"We should avoid either extreme haste or undue delay," he said. In a prepared statement, Senator Boren said the committee needed "adequate time to evaluate all possible information available to us." But he said it would be a "mistake" to defer a vote until after Congress completes its investigation of the Iran affair, because "it is not in the national interest to leave an agency as sensitive or important as the C.I.A. without a permanent director for a prolonged period of time."

Mr. Gates is mentioned by name in at least one place in the report, in a section entitled "Summer 1986: Project Democracy." This section quoted a July 1986 communication from Vice Adm. John M. Poindexter, then the national security adviser, to Lieut. Col. Oliver L. North, then on the security council staff, about phasing out a private network of planes, ships and other supplies maintained on behalf of the Nicaraguan counterrevolutionaries.

"I did tell Gates that I thought the private effort should be phased out. Please talk to Casey about this," Mr. Poindexter told Colonel North.

Mr. Gates told the Senate committee Dec. 4 that the C.I.A. "actively shunned information" about the private efforts to aid the contras for the two years ended last October in which Congress barred direct military assistance. But the Tower Commission account indicated that the C.I.A. did receive information in some detail.

### Three Areas of Questioning

Senator William S. Cohen of Maine, the ranking Republican on the intelligence committee, said in an interview today that further questioning of Mr. Gates would focus on three areas: the relationship between the C.I.A. and the National Security Council; what role, if any, Mr. Gates played in the bombing of Libya last April, and his role last November in helping Mr. Casey prepare testimony for the intelligence committee on the unfolding Iran affair.

Today, Mr. Gates gave the Senate committee additional testimony, in the form of a sworn statement, about his

preparations for Mr. Casey's appearance. Mr. Gates's statement said his "overriding concern" was to insure that those who helped prepare Mr. Casey's testimony "lay out all the facts regarding C.I.A.'s operational support role."

To accomplish that, Mr. Gates said, "a number of contacts" between C.I.A. officers and National Security Council staff members were necessary.

Senator Patrick J. Leahy, a Vermont Democrat who served until last month as vice chairman of the intelligence committee, said today that the Gates nomination was in jeopardy for reasons that went beyond any specific information in the Tower report.

"A lot of members of Congress feel they have been kept in the dark; they have been blindsided," Mr. Leahy said. "They are afraid they might be blindsided again." He said senators who were prepared "two or three weeks ago" to vote for Mr. Gates were now "reluctant" to do so, "not so much as a reflection of Robert Gates as a person, but because of the air of suspicion and mistrust that's built up around here."